

**Court of Appeals, State of Michigan**

**ORDER**

Bearing360 LLC v Larry Cameron

Docket Nos. 329499; 330812

LC No. 14-104498-CZ

Stephen L. Borrello  
Presiding Judge

Michael J. Kelly

Amy Ronayne Krause  
Judges

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The Court orders that the motion to dismiss the appeal in Docket Number 329499 as moot under MCR 7.211(C)(2)(c) is GRANTED.

The motion for sanctions for vexatious proceedings is GRANTED TO THE EXTENT that we hold appellant is responsible for bringing this vexatious appeal and REMAND this case to the trial court to determine appellees' actual damages for defending against this vexatious appeal and award that amount in favor of appellees and against appellant. Further, the trial court shall in its discretion determine and award in favor of appellees and against appellant punitive damages not to exceed the amount of actual damages. MCR 7.216(C)(2). We do not award sanctions against appellant's counsel because we conclude that appellees have not established a basis for us to hold counsel culpable for this vexatious appeal.

In light of the dismissal of the appeal in Docket Number 329499 we VACATE the January 20, 2016 order consolidating the appeals in Docket Numbers 329499 and 330812. The appeal in Docket Number 330812 remains pending in this Court.

We do not retain jurisdiction as to Docket Number 329499.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

DEC 21 2016

Date

  
Chief Clerk